

The regular meeting of the Town Assembly of the Village of Arden was held on September 22, 1986, Chairman William Press presiding.

In attendance were:

Rae F. Gerstine	Kathryn Petersen	Debby Showard
Virginia Shaw	Cosette Morley	Barbara Fenske
Greg Condiff	Anne Berlin	Steven Threefoot
John Boyd	Lee Starr	Kate Threefoot
Frances Boyd	Elizabeth Varley Walker	Marianne Rogers
Sarah Hamburger	Don Berman	Ron Enie
Beatrice Jaffe	William Berry	Miriam R. Berd
Delphine Goslin	Della Berry	Irwin B. Berd
Lanier Colgan	Bernard Kleban	Alice Isaacs
Jane Weible (NV)	Maryanne vanNeerden	Milton Isaacs
Gail Rinehart	Shaul Gladstone	Frank Young
George Kazan	Ruth Estes	Cecilia Vore
William W. Weible (NV)	Joan W. Colgan	S. R. Moore
Alexander Sykulski	Thomas E. Colgan	Larry Walker
Eugene Shaw	June Kleban	Frank Akutowicz
Frances Trench	Ruth Bean (NV)	Ellen Dolmetsch
Ethel Monfort	Lou Bean (NV)	Cookie Kelly
Harold Monfort	Mary E. Cirker	Patricia Press
Bea Phillips	Herbert E. Saye	Paul Thompson
Cy Liberman	Frank Gray	Carl Falco
Pat Liberman	Andrew Gallagher	Pat Hawley (NV)
Pat Pyle	Loretta Gallagher	Tom Bargo (NV)
Steve Tanzer	Helen Macklem	Matt O'Connor
Betty Knott	Robin McKinney (NV)	Linda Scott
Romeo Hubner	Connee Wright McKinney	Rick Scott
Ted Southwell	Susan Rohrbach	Alice Vandever
Harvey Neal	Anna N. Ponte	Debbie Theis
Leon Tanzer	Bunni Hurlong	William Theis
Temma Tanzer	Russ McKinney	Art Hurwitz
Mary E. Irons	Marion McCullough	Judith Hurwitz
Ruth Holcomb	Jean K. Brachman	Ted Baker
Don Holcomb	Edmond Hurlong	John Landis
Charles Salkeld	Meg Little	Tim Colgan
Marianne Cinaglia	Al Marks	Ruth Panella
William Bailey	Naomi Clark	Joe Patterson
Sally Thurston	Peter A. Renzetti (NV)	Shari Gallagher-Pha
Clara Dossett	John L. Austin	Jim Larsen
John Dossett	John Gray	Ken Scott
Rowena Austin	Dane Miller	David Warner
Helen Vinson	Mike Curtis	Molca Budin
Aaron Hamburger	John Hewlett	Sharon Young
Bob Wynn (NV)	Jim Semenick	Bill Press
Polly Sharp	Mary Orr	
Mary Andrews	Bernie Brachman	

The meeting was convened at 7:50 PM

Mr. Press explained that we would be using a sound system courtesy of Frank Young. Please speak into one of the microphones when addressing the Assembly.

A moment of silence was observed in honor of Elvie Grimaldi who died this afternoon. Condolences will be extended to her family from the Town Assembly.

Minutes of the June meeting were approved with the following corrections:

- Underscoring has been too freely used and may bias some readers. Only committee reports and basic subjects should be underlined for the convenience of future research.
- Pages should be numbered.
- Under Henry George's Economic Philosophy - the Chairman ruled that 8, 10, or 12 people should not legislate the Town Assembly agenda.
- On page 3, column 1, the words "are asked" were omitted. "Village Assembly are asked to consider..."
- Please add; the meeting was adjourned at 10:30 PM.
- Is there a "town attorney"? Isn't it really the Trustees' attorney? Shaul Gladstone affirmed that Joe Rosenthal is the town attorney.

STANDING COMMITTEE REPORTS: No Report.

Trustees - Shaul Gladstone. No Report.

Audit - Mary Irons

The Auditing Committee has reviewed the accounting procedures currently in use by the Trustees and Village of Arden and found them to be satisfactory and in accordance with accepted accounting practices. We have also reviewed the detailed audit prepared by Corcoran & Goldman, P.A. We have concluded that this audit presents fairly the assets, liabilities, fund balances, income and expenditures of the Trustees and Village of Arden. A summary of this audit information is present on the balance and expense sheets on file.

The fund balance for the Civic Committee reserve remains unchanged at \$26,716 reflecting \$14,707 Commons/Forests and \$12,009 for Roads. The fund balance for the Trustees Reserve (or town surplus) is now \$32,795 as compared with \$47,248 at the end of 1985, reflecting a decrease of \$14,453. The decrease is a consequence of budgeting \$100,000 in property taxes against expenses of \$116,550.

Budget - Ruth Holcomb

The total budget submitted was \$70,200. Changes effected by Town Assembly:

- The Roads budget (\$10,000) and Commons/Forest budget (\$12,000) were switched. We spend more on roads and the budget should reflect this.
- The Civic Reserve was raised from \$5,000 to \$7,000. This reserve will only be spent for emergencies.
- Trash collection was raised from \$31,000 to \$39,000 to continue the behind-the-house service. Motion passed: 52 aye, 47 nay.
- Special clean-up figure was reinstated at \$1,500.
- Moved by Cy Liberman that the \$39,000 for trash collection be removed from the budget altogether. There is a disturbing amount of controversy about our system of paying for garbage. Let's see what it would be like without town collection and lower the budget for this assessment year.

Discussion:

- Removing the trash collection would mean individuals would still have to pay for service but would get no tax benefit.
- Trash removal should be a public concern. Some people will use town barrels or dump in the woods.
- The service will be hard to reinstate if we drop it.

Motion defeated

- Why is \$50,000 considered a prudent reserve? Where did that

figure come from?

The reserve allows for an increase in County tax assessments and any non-budgetable expenses. For instance, we may lose our Revenue Sharing money next year. The reserve earns interest for the town.

- Moved by Mike Curtis that \$8,000 be budgeted to the Assessors for the purpose of hiring a licensed assessor to determine the full rental value of Arden land.

Discussion: We elect a Board of Assessors to do this job, we don't need an outside expert.

Motion defeated

- Moved by Al Marks that the Playground budget be cut from \$2,000 to \$1,000, cutting the expense of paving the basketball court.

Discussion:

The blacktop on the basketball court on the Sherwood Green has deteriorated and is a safety hazard. This area is well used by Arden basketball players. If we allow it to deteriorate further we will have to completely remove and replace the blacktop; a major project. If we put a 2 inch skim of blacktop over the existing surface now, we can get 10-12 years wear out of it.

Motion defeated

- Why is the \$10,000 for the WMA purchase of the YMCA land not included in the budget? This money has already been approved by referendum from the town reserve fund.

Final budget as amended, \$81,700, accepted by Town Assembly.

Assessors - Ron Enie

The Assessors report stands as accepted by the June Town Assembly.

The difference between the B & C assessment is \$24.24. Domiciles exist only because of the grandfather clause, they add to the value of a leasehold because New Castle County zoning allows no new ones to be added. B & C rates cover all town expenses except trash collection and the donation to WMA for YMCA parkland. These two expenses are not related to lot size and should be charged equally to each leasehold.

Rules of order suspended in order to present alternative assessment proposals.

Moved by Don Berman that the Town Assembly form itself into a Committee of the Whole in order to facilitate discussion of all alternative proposals at once. Any alternative must receive a 2/3 majority of those voting at Town Assembly to go to referendum.

Motion passed

Proposal #1 - John Grimaldi

Adhering to the Arden Assessors' definition, the "Full Rental Value" of Arden land for fiscal year 1987/88 will be \$220,000. Total of all Arden leaseholds amounts to 3,722,091 sq. ft. The "Full Rental Value" (\$220,000) divided by the total sq. ft. (3,722,091) results in a rate of \$59.11 per thousand sq. ft. This proposal is submitted for referendum 1987/88. Land Rent Single Rate - \$59.11 per thousand sq. ft.

Proposal #2 - Cy Liberman

It is proposed that:

1. All factors be retained as in fiscal 1986/87.
2. An additional factor be added specifying that any bona-fide IRS-designated non-profit organization determined to provide a public service to Arden be granted a full rental value of 40% of that which would be paid if the leasehold were held by an individual or organization not so designated.
3. The domicile rule be retained as in fiscal 1986/87.
4. The rates be changed as follows:
 \$73.26/1000 sq. ft. for the first 6500 sq. ft.
 \$44.70/1000 sq. ft. for above 6500 sq. ft.

This will generate about \$218,000 from rental, as opposed to about \$182,000 last year, with all rentals increased by 20%.

Discussion:

- We need to consider what is fair and best for the community. Henry George is no longer relevant, he didn't have to deal with domicile zoning.
- The Assessors have apportioned the needed 20% increase unfairly, small lots will go up as much as 44%. This shift of the tax burden to the small lots is a radical philosophical change.
- Land on woods and commons is more valuable.
- The current Assessors' proposal corrects a long standing inequity for large leaseholders who have been carrying an unfair burden of town expenses.
- The Assessors have perverted the idea of full rental value. They are trying to outguess the budget and collect what is needed for services rather than determining the market value. One way to handle this would be to determine the full rental value, set a budget, then assess a certain percent of the value.
- Since we cannot determine how many domiciles there are for sure, let's only assess properties with more than 3 domiciles.
- Assessors' assumption about the value of large leaseholds vs small leaseholds is unsupported by data.
- We have elected assessors for one year. We should support their work. If we are unhappy we should choose a new board next year.

Discussion of Proposal #2, clause #2:

Currently, the Trustees must levy full rental value on the Arden Club in spite of its tax-exempt status. This would pass that savings on to the club.

- Only 20% of Arden residents are club members. Wouldn't a tax break create dissension among non-members? We should not give a special privilege to one of our largest leaseholders.
- Instead of a tax cut (which would be inconsistent with single tax), how about the Town Assembly voting a donation to the Arden Club?
- The club is sometimes a burden to the community. Members are often noisy, use the roads heavily and take over the community for a weekend.
- Bob Wynn, Club President, explained that the County has granted a tax-exempt status to the club because it is a non-profit organization. This tax benefit is actually being passed on to

the town subverting the intent of the benefit. Bob offered to withdraw clause #2 in order to clarify the issue.

Cy Liberman agreed to remove clause #2 from his proposal.

Straw vote on alternative proposals: #1 - 14, #2 - 50

Committee of the whole was disbanded

Vote on Alternative Proposal #2: 61 aye, 41 nay.

Alternative Proposal defeated.

Nominations for Board of Assessors

Bernard Kleban	Temma Tanzer	Clara Dossett
Eugene Shaw	Aaron Hamburger	Milton Isaacs
Cy Liberman	Tom Colgan	Steven Threefoot (declined)
Russell McKinney	Hugh Roberts	George Kazan
Harold Monfort	Ruth Holcomb	Carl Falco
Michael Curtis		

Moved that the Registration Committee hold a meet-the-candidate night for nominated assessors.

Motion passed.

Buzz Ware Village Center - Cy Liberman

First, we have arranged for an Arden Music Program for children of elementary school age of the three Ardens. The program will start Oct. 6 and consists of 12 sessions to be held on Mondays at 4 PM. Details, including the small charge, are on a flyer distributed with the Arden Page. This is an experimental offering. We want to see how this one after-school program works out before making any other plans. However, we are definitely not thinking of having an after-school program for every day of the week.

Second, with the installation of supplementary electric heating for the office of the Village Center we have completed the new heating system. (\$26,597.62)

Third, we have awarded a contract for a section of roofing to be installed with part of the money coming to the center from the state's Bicentennial Improvement Fund. We are still seeking bids for insulation, the second project to be financed with the help of the state grant of up to \$5,900.

Discussion: Please ask WMA to change their signs to read "Montessori at the Arden School" rather than "Montessori, the Arden School". This has already been done.

Community Planning - Frank Akutowicz

Committee conducted 2 field trips:

1. Indian Circle for broken glass pick-up.
 2. Memorial Garden inspection and Arden Green inspection.
- Found very robust poison ivy plants in the new section of the Garden and on the Green. We shall try to determine the least harmful method of eradication and advise the Civic Committee.

Two complaints were received on parking ordinance violations. Letters sent.

Continued discussions with Mrs. Marie Dugan on the WMA land purchase. Property was transferred on Sept. 15th. A meeting between the WMA Board and the 4 neighboring community groups is tentatively scheduled for Oct. 2 at 7:30 PM in the BWVC. Mr. Dave Hesson of Windybush Civic Association said his group is ready to start fund raising as soon as the details of the parkland transfer are known.

For all the years that Arden has had its town trash collection there has never been any consideration of the options that are available for trash management. The Committee has had 2 discussions on this subject and we are prepared to inquire into these options and submit a report for the Assembly to consider.

Some of these options are:

1. Form our own corporation to collect and haul trash to the land fill.
2. Interview Dr. Vasuki at Pigeon Point to see what the prognosis is for future costs.
3. Reduce Arden's tonnage to the land fill by grinding our own tree and shrubbery prunings.
4. Obtain from the Institute of Local Self Reliance in Washington the current status of source separation and re-cycling.
5. Obtain current market conditions from an operating re-cycling center at 35th and Lancaster in Philadelphia.
6. Same for Del. County, PA townships where active town-wide re-cycling of glass and paper is in place.
7. Have our own hazardous waste collection annually.

We would also plan on conducting an open brainstorming meeting for further ideas.

Before proceeding with this project we want an expression of interest from the Assembly and so we've drafted a motion in which the Assembly formally asks us to go ahead.

Civic - Gail Rinehart

We have had quite a bit of work going on this summer thanks primarily to the efforts of Gene Shaw. Paving has been done in several areas, more paving/patching is scheduled this Fall. Martin Williams has been contracted to do some tree work and we have several small jobs in the process of being contracted out. If anyone is interested in doing some work for us, please contact me.

We appreciate the cooperation of people in cleaning up the town rights-of-way.

We are preparing to upgrade our request to Mr. Stephan Truitt of the State Highway Dept. concerning the "no right turn on red" sign at the corner of Marsh and Harvey. He has received at least 3 official letters from this town since last February and has not made a response.

The bridge between Arden & Ardencroft is listing, please be careful until it is repaired.

DP&L is clearing branches from wires, please be aware of it.

If you have been down Meadow Lane this summer, you may have noticed a new access. We are looking into the situation. Wrote a letter in July to Mr. Hitchens. It is possible that this was an honest mistake done by the contractor without his knowledge.

Playground - Larry Walker

During the past quarter, the required playground equipment inspections were conducted and all necessary repairs were made. All equipment is in sound and safe condition and the results of

our inspections were noted in the Committee's records.

The playground equipment was in need of painting, so the committee asked to have a person required to perform community service assigned to the committee. A teenage boy was assigned in early July and he painted most of the equipment. The committee provided the materials, equipment, and supervision for the project.

The major project for the rest of this year will be to have the surface of the blacktopped area behind the Buzz Ware Village Center repaired. Presently, the surface is rough and in some places it is a little uneven. This year's repairs will be in preparation for resurfacing the entire area next summer.

Discussion:

In future, please don't begin painting playground equipment on the first day of ACRA.

Another infant swing is needed on Sherwood Green.

Registration - Virginia Shaw

There are 386 residents available to vote this evening.

Our committee wishes to remind the townspeople of the forthcoming referendum on the budget and the election of Assessors. To be passed, financial provisions must receive a clear majority of all eligible residents.

Eligible residents are all persons over eighteen who have lived in Arden for the six months immediately preceding qualification. This is a charter provision. A person once registered remains on the voters' list during an absence provided his home or some portion of it is always available for his use. If he leaves, selling his home or renting all of it to a tenant, he is no longer a resident and he must wait six months from his return to vote. Anyone who keeps space available for his own use during an extended absence is wise to notify the Town Clerk in writing of his intentions before leaving since no change can be made in the registration list while a referendum is in process.

Safety - Tom Colgan

There was a letter in the News Journal criticizing the radar speed trap on Harvey Rd. in Arden. Arden had nothing to do with this project.

The no-right-turn-on-red sign at the intersection of Marsh and Harvey/Sherwood should be in place in about a week.

Please replace the stop sign at Millers and Hillside.

Ad Hoc Committee - Elizabeth Varley Walker

Structure of Town Meeting:

We propose a starting time of 7:30 PM and an adjournment time of 10:30 PM. We realize that while this may appear to cut off a discussion, this is not the intent. With a 10:30 adjournment time, there would be two methods of extending the meeting to finish the necessary business. First, if the business at hand seems to be able to be resolved within 30-40 minutes, a motion to postpone adjournment may be made from the floor. Second, if this is not the case, then we propose a "continued meeting" to be held within two weeks. This "continued meeting" may be scheduled in either of two ways. One way is that if a heavy agenda seems likely, a "continued meeting" may be suggested, in advance, by the Advisory Committee. This would, of course, be subject to the approval of

the Town Assembly. Another way of carrying on the business if the meeting can not finish by 10:30 would be to move that we have a continued meeting. For the purposes of time for better preparation and organization we further suggest that the Advisory Committee Meeting be moved from 2 weeks prior to the Town Meeting to 3 weeks prior to the meeting.

This policy could cost up to \$400 (\$100 per meeting) per year in additional rental fees to the Arden Club. One possible way of relieving part of that increase would be to schedule the June meeting (or meetings) at the Buzz Ware Village Center for a savings of up to \$200 per year. We suggest only the June meeting(s) because of set-up problems at other times of the year.

Considering the above planning, if you have a concern which you feel needs town attention, it would be best to bring it to the notice of the Advisory Committee whose meetings would be 3 weeks prior to Town Meeting. Or you could notify the town secretary by the first of the month of the Town Meeting. This will help insure your concern is on the Town Meeting notice which is disbursed to all residents. As you know, this notice includes items on the agenda for any given meeting. This, then, gives residents an opportunity to consider the issue prior to the Town Meeting and hopefully will lead to an enlightened albeit concise discussion.

We also propose a few changes in the order of business of the assembly. Our proposed change comes under standing committee reports. We would like to handle all business of a committee at the time of the report. This would include not only discussion of the report, as is now the case, but also any motions and old or new business. This would help to eliminate the repetition of discussion both at the time of the report and again under new business. It is our hope that this change would lead to a better understanding of the issue in a shorter period of time.

Finally, we suggest that all committees have a written report for the secretary. Further, if there is something of great importance to the town the issue and any companion motions be printed and distributed PRIOR to the start of the Town Meeting. Printing expenses to be borne by the individual committee. The motion should also be written on the blackboard. Additional issues not covered by standing committees would continue to come up under old or new business as is currently the practice.

In addition to the above changes we would like to offer the following as a possible guide to both committees and residents. These are not meant as an obstacle to expression or philosophical discussion but rather as a method of encouraging fair participation.

- Try to limit the length of your comments.
- Try not to re-state or re-explain a position. If you feel support is necessary a simple "I support that view" or "I intend to vote for the motion" will do.
- Please try to take a moment or two to write down your motion before presenting it. It helps clarify it.
- We suggest a more frequent use of straw votes to focus the sense of the meeting if it appears the discussion has gotten rambling or disjointed.

OLD BUSINESS

Moved to continue ordinance #12 closing the woodlands from dusk to dawn

Motion passed.

NEW BUSINESS

Moved that Town Assembly adopt the proposal for structural changes in Town Assembly as presented by the Ad Hoc Committee.

Discussion:

The proposal is too cumbersome, there are too many rules and regulations. Writing long motions on the blackboard would be cumbersome. Some suggestions are good, others unnecessary.

Motion defeated: 17 aye, 33 nay

Moved that Town Assembly handle all business of a committee at the time of the report. This would include not only discussion of the report but also any motions and old or new business.

Moved that all committees have a written report for the secretary. If there is something of great importance to the town the issue and any companion motions should be printed and distributed prior to the start of Town Meeting. Printing expenses should be borne by the individual committee.

Moved that Advisory Committee would be 3 weeks prior to Town Meeting.

Discussion:

Who decides what reports are important enough to be distributed in advance? Could a report be rejected because it is not printed in advance? Should we strive for reports of one page or less? Written reports are especially helpful to those who have trouble hearing.

All three motions passed.

Moved by Mike Curtis that the Advisory Committee establish ground rules for the Special October Meeting: how long can each person speak, how many out-of-town experts should be permitted.

Discussion:

We are focusing on one subject for the entire meeting, there should be time for everyone to be heard. Our Chairman is fully capable of keeping the meeting moving.

Motion defeated

Moved by Frank Akutowicz for Community Planning Committee: The Town Assembly requests the Community Planning Committee to conduct an inquiry into feasible trash management options for the Assembly to consider. The cost of the inquiry shall not exceed the committee's budget, and a printed report shall be made in a timely manner.

Motion passed.

GOOD AND WELFARE

Registration Committee needs to give thought to better organizing the sign-in and information distribution process so meetings can start on time. 130 people arriving at once is hard to handle. Several sign-in sheets and collation of reports

ahead of time would help.

Have the Trustees selected a replacement yet? No.

Chairman, Bill Press, was commended by the Assembly for keeping together a difficult meeting. Let's keep up the good attendance.

Meeting adjourned: 11:53 PM

Archie Hamburger
Secretary